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UNCLAS SECTION 01 OF 02 CANBERRA 001253

SIPDIS

DEPT FOR CA:JARTZ, CA/PPT:MHOLLY, AND CA/VO/F/P:DLOPESDAROSA  
DHS FOR MICHAEL NIEFACHL, DANIEL E. SULLIVAN, AND MICHAEL  
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TAGS: [CVIS](#) [CMGT](#) [KPAO](#) [AS](#) [EUN](#)

SUBJECT: AUSTRALIA'S LOST AND STOLEN PASSPORTS REPORTING  
PROCEDURES AND LEGISLATION UPDATE

REF: STATE 125862

1. (U) Action request for CA at para 3.

2. (U) At present post does not receive information on lost and stolen passports (LASP) directly from the Australian Government. Occasionally, post receives reports from other embassies advising us of LASP and we usually forward this information on to the U.S. Embassy in that country for action in order to avoid duplication of entries. Conoff spoke to Department of Immigration and Multicultural and Indigenous Affairs (DIMIA) International Border Initiatives Section Officer Nikki Keirven on July 14 regarding Australia's current procedures for reporting LASP information. Keirven, who also works on the Regional Movement Alert List (RMAL), informed Conoff that, since a LASP MOU was signed with the U.S. in March of this year, the GOA had given two CDs of Australian LASP information to the U.S. One CD was passed to Deputy Assistant Secretary Frank Moss in April when he was in Australia for a conference; the other was passed to a DHS delegation in Australia for RMAL meetings in late June, according to Keirven. She also noted that Ian Russell in the Department of Foreign Affairs and Trade (DFAT) Passport Fraud Section was responsible for compiling the LASP CDs for distribution internally and externally.

3. (U) ACTION REQUEST: Keirven was interested to learn how the U.S. had been using the Australian LASP CDs. She also confirmed that, to date, no fixed process had been established to transmit the LASP information. Keirven stated that the GOA was open to suggestions and that DIMIA officials could either pass the information through the Australian Embassy in Washington or pass the CDs through post to forward to the Department. CA, please advise.

4. (U) Australian Visa Waiver Program (VWP) DFAT POC John Osborne has been out of the office and will not return until the week of July 25. Conoff will discuss in-depth ref A certification procedures with Osborne and report septel.

#### NEW AUSTRALIAN PASSPORT LEGISLATION

5. (U) According to a media release from Foreign Minister Downer on June 24, the new "Australian Passport Act 2005" came into force on July 1 in a move toward combating the growing problem of lost and stolen passports. The Act boosts penalties for passport fraud, introduces immediate and permanent cancellation of missing passports, and imposes an additional fee for replacing lost and stolen passports.

6. (U) The Act increases maximum jail terms for passport fraud from two to ten years and increases the maximum fines from A\$5,000 to A\$110,000. These penalties will apply across all indictable offenses such as false statements in applications and illegal use of passports. The new Act explicitly allows for passport refusal or cancellation in cases where Australian law enforcement agencies advise DFAT that an Australian is likely to engage in, is charged with, or has been sentenced for specified crimes including terrorism, child sex tourism, child abduction, or people smuggling. Procedures for resolving disputes between parents about their children's international travel are also clarified. The new Act allows for such disputes to be dealt with by the courts and not by passport officers.

7. (U) The Act requires Australian citizens to report a lost or stolen passport as soon as possible. The passport will be immediately and permanently cancelled and international border control authorities notified. To encourage Australians to protect their passports, an additional fee will be charged for replacing lost and stolen passports - A\$50 for the first passport lost or stolen, A\$153 for the second, and A\$306 for the third or additional ones. The validity of replacement passports will also be reduced once three or more passports have been lost or stolen within five years. The media release stated, "Of more than one million passports issued each year (to Australians), over 30,000 are reported lost or stolen by the bearers." Other provisions of the Act accommodate passport technologies such as facial biometrics and new forms for passport services.

